

March 6, 2008

Public Notice for Water Quality Certification and/or Waste
Discharge Requirements (Dredge/Fill Projects)

**Bohan and Canelis,
Lower Austin Creek Fishery Enhancement Project
Sonoma County (WDID# 1B02077WNSO)**

On August 6, 2007, the North Coast Regional Water Quality Control Board (Regional Water Board) received an application from Steve Canelis, on behalf of Bohan & Canelis, requesting a Water Quality Certification and/or Waste Discharge Requirements (Dredge/Fill Projects) for the Lower Austin Creek Fishery Enhancement Project located in Sonoma County. The proposed project causes temporary impacts to approximately 9 acres of streambed within, Lower Russian River hydrologic unit, Austin Creek hydrologic subarea No. 114.12.

Bohan & Canelis Aggregates proposes to continue to mine gravel from Austin Creek, Cazadero, California in two ongoing phases. The first phase involves gravel skimming of four identified gravel bars and excavation of alcoves in the downstream end of the bar, located in a continuous reach from approximately 1,940 feet up gradient of the confluence of Austin Creek and the Russian River, to a point approximately 4,820 feet up gradient of the confluence. The second phase involves the creation or enhancement of seven in stream pools, located within the reach of Austin Creek beginning just below the Highway 116 bridge and extending up gradient to the upper extent of gravel bar skimming. The pools will be dug to a maximum initial target depth of 10 feet. The following year pools will be examined to determine if the excavated pools have maintained a target depth of eight feet (As described in National Marine Fisheries Biological Opinion, File 151422SWR03SR8613). Gravel extraction will be accomplished by surface skimming of four to six bars totaling 6.0 acres, and seven to ten pools totaling from between 2.0-3.0 acres. The estimated volume to be excavated on a yearly basis will be 25,000 cubic yards, however the exact volume will be based on replenishment rates and allowable extraction rates as outlined in the Sonoma County Aggregate Resources Management Plan (SCARMP) and Environmental Impact Report (November 1994). It is anticipated that approximately 15,000 cubic yards will be removed during 2008 and up to 25,000 cubic yards in 2009.

No gravel skimming operations will take place in the wetted stream. Pool creation/enhancement may take place at or below water level. Buffer zones will separate the operational areas from the low-water channel. Skimming will generally progress from south to north and will not be conducted simultaneously at multiple sites. Two stream crossings will be utilized, with a maximum of one bridge in place at any time. No gravel will be extracted if there is insufficient replenishment above the baseline elevations that were established in 1995.

Compensatory mitigation is achieved through improvement of beneficial uses of Austin Creek. Beneficial uses and the methods used to achieve improvement, respectively, are:

- Cold Freshwater Habitat by creating and increasing depth of pools. Water temperature within the created/deepened pools has decreased due to entrance of cooler bar underflow into the deeper pools. Installation of log and boulder structures increases complexity and pool scour, and thus improves habitat.
- Migration of Aquatic Organisms has been improved by providing a low flow channel and deepened thalweg. Previously, migration and fish passage was hampered by lack of a well formed low flow channel.
- Spawning may have been improved by increase in fish passage.

Additional compensatory mitigation such as bank stabilization using bioengineering techniques and/or revegetation may be necessary if conditions develop from gravel skimming/mining activities that warrant this mitigation, or if deemed necessary by regulatory agencies.

Non-compensatory mitigation: Upon completion of the skimming activities, areas disturbed by the mining operations shall be graded to ensure that no pits or depressions are left where fish entrapment may occur. Gravel extraction will cease by October 31. Temporary crossings shall be constructed using temporary bridges with gravel approach ramps that use only clean gravel, which will reduce the potential of turbid discharges to the river. Equipment will not be operated in the flowing river except as may be necessary to construct stream crossings. Any equipment entering the active stream will be preceded by an individual on foot to displace fish and wildlife. Appropriate sediment control measures will be implemented to ensure that in stream turbidity levels do not exceed water quality standards contained in the Water Quality Control Plan for the North Coast Region. Riparian vegetation growing along the perimeter of, or as dense stand on each bar or on the outer bank, will not be removed or otherwise disturbed. The landowner has developed, and agreed to a Department of Fish and Game (DFG) and National Marine Fisheries Service (NMFS) management plan for the project area. Cross section surveys of the channel will be completed and provided to all reviewing agencies by February 1st of the following year. In addition to conditions set forth by the Regional Water Board, additional conditions are imposed by the County of Sonoma, California Department of Fish and Game, U. S. Army Corps of Engineers (ACOE), State Mining and Geology Board, National Marine Fisheries Service, and the recommendations made by the SRC.

Annual extensive monitoring is required including data gathering and reporting. The use permits issued by Sonoma County under the Aggregate Resource Management Plan (ARM) requires standard and site specific monitoring, including site inspections, full channel cross sections, and annual aerial photographs. Other monitoring and reporting is also required by other involved resource agencies.

All extraction operations, extraction techniques, reclamation activities, monitoring, project impact minimization measures, revegetation activities and terms of conditions will be implemented as described in the National Marine Fisheries Service Biological Opinion, the final Regional Water Board Order, the California Department of Fish and Game permit, Sonoma County permit, and SRC recommendations.

Monitoring information received may necessitate modifying the conditions of the permit to provide an adaptive management approach. Conditions and requirements within the

401 Water Quality Certification may be changed/amended by the Regional Water Board within the time period that the 401 Water Quality Certification is issued. Changes may be initiated by factors such as: observations made by or reported to the Regional Water Board, or by recommendations made by the SRC, or other agencies. Such modifications will not require a new permit.

The applicant has received a California Department of Fish and Game 1600 Streambed Alteration Agreement, Expiring on December 31, 2008, Notification Number: 1600-2004-0702-3.

Applicant has applied for a United States Army Corps of Engineers Individual Permit, File Number 263670N.

The gravel extraction is scheduled to begin in summer 2008 and be completed in October 2009. Staff is proposing to regulate this project pursuant to Section 401 of the Clean Water Act (33 USC 1341) and/or Porter-Cologne Water Quality Control Act Authority. In addition, staff will consider all comments received during a 21-day comment period that begins on the first date of issuance of this letter. If you have any questions or comments, please contact staff member Stephen Bargsten at (707) 576-2653, or at sbargsten@waterboards.ca.gov, or Darren Bradford at (707) 576-2466, dbradford@waterboards.ca.gov, within 21 days of posting of this notice.

This is a brief summary of this project; all related documents and comments received are on file and may be inspected or copied at the Regional Water Board office, 5550 Skylane Blvd., Suite A, Santa Rosa, California. Appointments are recommended for document review. Appointments can be made by calling (707) 576-2220.